

**ASSEMBLY BILL**

**No. 2756**

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**Introduced by Assembly Members Blumenfield and Feuer**

February 19, 2010

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An act to add Section 22500.2 to the Vehicle Codes, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2756, as introduced, Blumenfield. Parking: commercial advertising: mobile billboards.

(1) The Planning and Zoning Law authorizes the legislative body of a city or county to adopt ordinances that regulate, among other things, signs and billboards.

Existing law authorizes local authorities to enact, by ordinance or resolution, prohibitions or restrictions on the stopping, parking, or standing of vehicles, including, but not limited to, vehicles that are 6 feet or more in height, including any load thereon, within 100 feet of any intersection, on certain streets or highways, or portions thereof, during all or certain hours of the day.

This bill would make it unlawful for a person to conduct, or cause to be conducted, any mobile billboard advertising by parking any vehicle or wheeled conveyance that carries, conveys, pulls, or transports any sign or billboard for the primary purpose of advertising on any public street, or other public place within the city or county in which the public has the right to travel. The bill would require enforcement by the city or county. By increasing the duties of local public officials and creating a new crime, the bill would impose a state-mandated local program.

The bill would also authorize a city or county to enact an ordinance that would permit the use of mobile billboards in its local jurisdiction.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) Communities across the state are experiencing a surge in  
4 mobile billboards. These portable advertising signs on vehicles or  
5 trailers are driven to a location where they are detached and parked  
6 on city streets for hours, and often several days.

7 (b) Not only are mobile billboards a visual blight, but they pose  
8 a significant safety hazard when motorists are forced to veer around  
9 them into the next lane of traffic. Mobile billboards also reduce  
10 available on-street parking and impair the visibility of pedestrians  
11 and drivers.

12 (c) Local jurisdictions throughout the state have attempted to  
13 regulate mobile billboards, but these efforts have become mired  
14 in litigation and are difficult to enforce. Therefore, the Legislature  
15 declares that a statewide approach to regulating mobile billboards  
16 is necessary to address this serious public nuisance and to protect  
17 public safety.

18 SEC. 2. Section 22500.2 is added to the Vehicle Code, to read:

19 22500.2. (a) It is unlawful for a person to conduct, or cause  
20 to be conducted, any mobile billboard advertising by parking any  
21 vehicle or wheeled conveyance that carries, conveys, pulls, or  
22 transports any sign or billboard for the primary purpose of  
23 advertising on any public street or other public place within the  
24 city or county in which the public has the right to travel.

25 (b) A violation of this section is an infraction punishable by the  
26 city or county where the violation occurred.

1 (c) This section shall not apply to any vehicle that displays an  
2 advertisement or business identification of its owner, so long as  
3 the vehicle is engaged in the usual business or regular work of the  
4 owner, and not used merely, mainly, or primarily to display  
5 advertisement.

6 (d) Notwithstanding subdivision (a), a city or county may enact  
7 a local ordinance that authorizes the use of mobile billboards within  
8 its local jurisdictions.

9 SEC. 3. No reimbursement is required by this act pursuant to  
10 Section 6 of Article XIII B of the California Constitution for certain  
11 costs that may be incurred by a local agency or school district  
12 because, in that regard, this act creates a new crime or infraction,  
13 eliminates a crime or infraction, or changes the penalty for a crime  
14 or infraction, within the meaning of Section 17556 of the  
15 Government Code, or changes the definition of a crime within the  
16 meaning of Section 6 of Article XIII B of the California  
17 Constitution.

18 However, if the Commission on State Mandates determines that  
19 this act contains other costs mandated by the state, reimbursement  
20 to local agencies and school districts for those costs shall be made  
21 pursuant to Part 7 (commencing with Section 17500) of Division  
22 4 of Title 2 of the Government Code.